

project which reaches the design development phase on or after January 1, 2011, compliance with the standards developed pursuant to this section shall be required.

The commissioner may provide education and training to promote the use of best practices in the design, construction, and maintenance of buildings, safe rooms, and shelters to reduce the risk of personal injury from tornadoes or other severe weather.

Sec. 3. STATE BUILDING CODE — SAFE ROOMS AND STORM SHELTERS — RULE-MAKING. The initial administrative rules required to be adopted pursuant to section 103A.8C, as enacted by this Act, shall be adopted by the state building code commissioner on or after February 1, 2010, but no later than April 1, 2010, and shall not become effective prior to July 1, 2010.

Sec. 4. SAFE ROOMS AND STORM SHELTERS — BEST PRACTICES REVIEW — REPORT. The state building code commissioner, in cooperation with the department of public defense, the department of natural resources, and the rebuild Iowa office, shall review and assess best practices in the design, construction, and maintenance of buildings, safe rooms, and storm shelters to reduce the risk of personal injury from tornadoes and other severe weather. The commissioner shall report the findings of the review and assessment to the governor and the general assembly by December 15, 2009. The review and assessment shall be conducted as part of the rulemaking process for the initial rulemaking required pursuant to this Act and section 103A.8C, as enacted by this Act, and shall include public comment received during that process.

Approved May 22, 2009

CHAPTER 143

ABSENTEE BALLOTS — PATIENTS OR RESIDENTS OF HOSPITALS OR HEALTH CARE FACILITIES

H.F. 708

AN ACT relating to absentee ballots delivered to applicants who are patients or residents of hospitals or health care facilities.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 53.8, subsection 3, Code 2009, is amended to read as follows:

3. a. When an application for an absentee ballot is received by the commissioner of any county from a registered voter who is a patient in a hospital in that county or a resident of any facility in that county shown to be a health care facility by the list of licenses provided the commissioner under section 135C.29, the absentee ballot shall be delivered to the voter and returned to the commissioner in the manner prescribed by section 53.22. However, if

b. (1) If the application is received more than five days before the ballots are printed and the commissioner has elected to have the ballots personally delivered during the ten-day period after the ballots are printed, the commissioner shall mail to the applicant within twenty-four hours a letter in substantially the following form:

Your application for an absentee ballot for the election to be held on has been received. This ballot will be personally delivered to you by a bipartisan team some time during the ten days after the ballots are printed. If you will not be at the address from which your application was sent during any or all of the ten-day period immediately following

the printing of the ballots, the ballot will be personally delivered to you sometime during the fourteen days preceding the election. If you will not be at the address from which your application was sent during either of these time periods, contact this office and arrangements will be made to have your absentee ballot delivered at a time when you will be present at that address.

(2) If the application is received more than ten fourteen calendar days before the election and the commissioner has not elected to mail absentee ballots to the applicant applicants as provided under section 53.22, subsection 3, and has not elected to have the absentee ballots personally delivered during the ten-day period after the ballots are printed, the commissioner shall mail to the applicant within twenty-four hours a letter in substantially the following form:

Your application for an absentee ballot for the election to be held on has been received. This ballot will be personally delivered to you by a bipartisan team sometime during the ~~ten~~ fourteen days preceding the election. If you will not be at the address from which your application was sent during any or all of the ~~ten-day~~ fourteen-day period immediately preceding the election, contact this office and arrangements will be made to have your absentee ballot delivered at a time when you will be present at that address.

b. c. Nothing in this subsection nor in section 53.22 shall be construed to prohibit a registered voter who is a hospital patient or resident of a health care facility, or who anticipates entering a hospital or health care facility before the date of a forthcoming election, from casting an absentee ballot in the manner prescribed by section 53.10 or 53.11.

Sec. 2. Section 53.22, subsection 1, paragraph a, subparagraph (1), Code 2009, is amended to read as follows:

(1) A registered voter who has applied for an absentee ballot, in a manner other than that prescribed by section 53.10 or 53.11, and who is a resident or patient in a health care facility or hospital located in the county to which the application has been submitted shall be delivered the appropriate absentee ballot by two special precinct election officers, one of whom shall be a member of each of the political parties referred to in section 49.13, who shall be appointed by the commissioner from the election board panel for the special precinct established by section 53.20. The special precinct election officers shall be sworn in the manner provided by section 49.75 for election board members, shall receive compensation as provided in section 49.20, and shall perform their duties during the ten calendar days after the ballots are printed if the commissioner so elects, during the ~~ten~~ fourteen calendar days preceding the election, and on election day if all ballots requested under section 53.8, subsection 3, have not previously been delivered and returned.

Sec. 3. Section 53.22, subsection 1, paragraph b, Code 2009, is amended to read as follows:

b. If an applicant under this subsection notifies the commissioner that the applicant will not be available at the health care facility or hospital address at any time during the ten-day period after the ballots are printed, if applicable, or during the ten-day fourteen-day period immediately prior to the election, but will be available there at some ~~earlier other~~ time prior to the election or on election day, the commissioner shall direct the two special precinct election officers to deliver the applicant's ballot at an appropriate time ~~prior to the ten-day period immediately preceding the election or on election day.~~ If a person who so requested an absentee ballot has been dismissed from the health care facility or hospital, the special precinct election officers may take the ballot to the voter if the voter is currently residing in the county.

Sec. 4. Section 53.22, Code 2009, is amended by adding the following new subsection:

NEW SUBSECTION. 6. Observers representing candidates, political parties, or nonparty political organizations, or observers who are opponents or proponents of a ballot issue to be voted on at the election are prohibited from being present at a hospital or health care facility during the time the special precinct election officers are delivering absentee ballots to the residents of such hospital or health care facility.

CHAPTER 144**NATURAL RESOURCES —
CONSERVATION AND RECREATION ACTIVITIES***H.F. 722*

AN ACT relating to regulation of certain conservation and recreation activities under the jurisdiction of the department of natural resources, modifying fees, establishing an upland game bird study advisory committee, making penalties applicable, and providing an immediate effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 321G.2, subsection 1, paragraph e, Code 2009, is amended to read as follows:

e. Establishment of a program of grants, subgrants, and contracts to be administered by the department for the development and delivery of certified courses of instruction for the safe use and operation of snowmobiles, maintenance, and operation of designated snowmobile trails and grooming equipment by political subdivisions and incorporated private organizations.

Sec. 2. Section 321G.2, subsection 1, Code 2009, is amended by adding the following new paragraphs:

NEW PARAGRAPH. i. Establishment of a certified education course for the operation of snowmobile grooming equipment.

NEW PARAGRAPH. j. Establishment of a certified education course for the safe use and operation of snowmobiles.

NEW PARAGRAPH. k. Certification of volunteer snowmobile education instructors.

Sec. 3. Section 321G.11, subsection 1, Code 2009, is amended by striking the subsection and inserting in lieu thereof the following:

1. The exhaust of every internal combustion engine used in any snowmobile shall be effectively muffled by equipment constructed and used to muffle all snowmobile noise in a reasonable manner in accordance with rules adopted by the commission.

Sec. 4. Section 321G.21, subsection 9, Code 2009, is amended to read as follows:

9. The department commission may adopt rules consistent with this chapter establishing minimum requirements for dealers. In adopting such rules, the department commission shall consider the need to protect persons, property, and the environment and to promote uniformity of practices relating to the sale and use of snowmobiles. The commission may also adopt rules providing for the suspension or revocation of a dealer's special registration certificate issued pursuant to this section.

Sec. 5. Section 321G.24, subsection 3, Code 2009, is amended to read as follows:

3. Any person who is required to have a safety certificate under this chapter and who has completed a course of instruction established under section 321G.2, subsection 1, paragraph “e” “j”, including the successful passage of an examination which includes a written test relating to such course of instruction, shall be considered qualified to apply for receive a safety certificate. The commission may waive the requirement of completing such course of instruction if such person successfully passes a written test based on such course of instruction.

Sec. 6. Section 321I.1, subsection 1, paragraph c, Code 2009, is amended by striking the paragraph.

Sec. 7. Section 321I.1, subsection 16, Code 2009, is amended to read as follows:

16. a. “Off-road utility vehicle” means a motorized flotation-tire vehicle with not less than four and not more than six eight low-pressure tires that is limited in engine displacement to